

*Original*  
**FILED**

## UNITED STATES DISTRICT COURT

for the

Southern District of Illinois

AUG 04 2016

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS  
BENTON OFFICEDavid Scheurich) Case Number: 16-cv-876-NJR  
)

(Clerk's Office will provide)

Plaintiff/Petitioner(s)

v.

U.S. MarshallsDefendant/Respondent(s)

- )  CIVIL RIGHTS COMPLAINT  
pursuant to 42 U.S.C. §1983 (State Prisoner)  
)
- )  CIVIL RIGHTS COMPLAINT  
pursuant to 28 U.S.C. §1331 (Federal Prisoner)  
)
- )  CIVIL COMPLAINT  
pursuant to the Federal Tort Claims Act,  
28 U.S.C. §§1346, 2671-2680, or other law  
)

## I. JURISDICTION

## Plaintiff:

A. Plaintiff's mailing address, register number, and present place of confinement

*David Scheurich*  
*#M53661-Vandalia Correctional Center*  
*V.I.C.*  
*P.O. BOX 500*  
*Vandalia Illinois 62471*

## Defendant #1:

B. Defendant U.S. Marshalls is employed as

(a) (Name of First Defendant)

Transportation U.S. Marshalls

(b) (Position/TITLE)

with

N/A

(c) (Employer's Name and Address)

At the time the claim(s) alleged this complaint arose, was Defendant #1 employed by the state, local, or federal government?  Yes  No

If your answer is YES, briefly explain:

**Defendant #2:**

C. Defendant \_\_\_\_\_ is employed as

(Name of Second Defendant)

\_\_\_\_\_ (Position/Title)

with \_\_\_\_\_  
(Employer's Name and Address)

At the time the claim(s) alleged in this complaint arose, was Defendant #2 employed by the state, local, or federal government?  Yes  No

If your answer is YES, briefly explain:

**Additional Defendant(s) (if any):**

D. Using the outline set forth above, identify any additional Defendant(s).

II. PREVIOUS LAWSUITS

- A. Have you begun any other lawsuits in state or federal court relating to your imprisonment?  Yes  No
- B. If your answer to "A" is YES, describe each lawsuit in the space below. If there is more than one lawsuit, you must describe the additional lawsuits on another sheet of paper using the same outline. Failure to comply with this provision may result in summary denial of your complaint
1. Parties to previous lawsuits:  
Plaintiff(s):  
  
Defendant(s):
  2. Court (if federal court, name of the district; if state court, name of the county):
  3. Docket number:
  4. Name of Judge to whom case was assigned:
  5. Type of case (for example: Was it a habeas corpus or civil rights action?):
  6. Disposition of case (for example: Was the case dismissed? Was it appealed? Is it still pending?):
  7. Approximate date of filing lawsuit: --
  8. Approximate date of disposition:

III. GRIEVANCE PROCEDURE

A. Is there a prisoner grievance procedure in the institution?  Yes  No

B. Did you present the facts relating to your complaint in the prisoner grievance procedure?  Yes  No

C. If your answer is YES,

1. What steps did you take?

2. What was the result?

D. If your answer is NO, explain why not.

*There is no grievance procedure in this matter*

E. If there is no prisoner grievance procedure in the institution, did you complain to prison authorities?  Yes  No

F. If your answer is YES,

1. What steps did you take?

2. What was the result?

G. If your answer is NO, explain why not.

*Because there is nothing they could do; it happened in two different facilities. They have no authority over the matter.*

H. Attach copies of your request for an administrative remedy and any response you received. If you cannot do so, explain why not.

#### IV. STATEMENT OF CLAIM

- A. State here, as briefly as possible, when, where, how, and by whom you feel your constitutional rights were violated. Do not include legal arguments or citations. If you wish to present legal arguments or citations, file a separate memorandum of law. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. If your claims relate to prison disciplinary proceedings, attach copies of the disciplinary charges and any disciplinary hearing summary as exhibits. You should also attach any relevant, supporting documentation.

On 7-28-2015 I had a court hearing with the honorable Judge Lance Wright at Cleburne County District Court. Where Judge Wright stated that I (David Scheurich) "was not to be transported or turned over to the custody of Illinois until there's a hearing." August 11th was the date set for the hearing. Public defender Gary Carruthers said "Illinois can't just show up and take him." Judge Wright replied "That's right." On August 6th Illinois had two U.S. Marshalls come to transport me to Champaign Illinois. I tried to inform them of the court order that Judge Wright had issued. Officer Garratt (1st name unknown and Officer Melissa (1st name unknown) of Cleburne County Jail said "They didn't care and I was going back to Illinois." I again tried to inform them of what Judge Wright had issued. That's when they said "If you don't get in the van then we are going to stun you with our stun guns and put you in the van." Against my will I had to get in the van for the U.S. Marshalls to transport me to Champaign Illinois. The U.S. Marshalls took me (David Scheurich) on August 6th from Heber Springs Arkansas and I arrived at Champaign Illinois on August 7th. In doing so the U.S. Marshalls broke the court order issued by Judge Lance Wright, violated interstate extradition act, became an accomplice of kidnapping and violated my constitutional

rights, I am summittting the court proceedings transcripts as exhibit 1A as evidence. The Certificate of Delivery of Fugitive that was never presented at any time or completely filled out, violated my Fugitive rights. I am summittting it as exhibit 2A as evidence. In addition I am summittting copies of two FOA's that have been sent to Cleburne County Sheriff's office for the names and company of the U.S. Marshall's that falsely extradited me (David Schurich) Unfortunately after two FOA's where sent and several phone calls where made from my mother, to whom I gave power of attorney, which I summit as exhibit 4A. Cleburne County Sheriff's Office and Champaign County Sheriff's Office both claim neither have any documents that has the U.S. Marshall's names or information on them. I am also summittting a written review order as exhibit 5A to show I was not to be taken or moved until further legal action was assigned after the hearing on August 11th. That Judge Lance Wright had ordered. Could you please help find the names of the U.S. Marshall's and the company they work for. More FOA's have been sent to Cleburne County Sheriff's Office and Champaign County Sheriff's Office presently with no success. Is it not by law all parties involved should be charged with all the same criminal charges by association or as an accomplice.

V. REQUEST FOR RELIEF

State exactly what you want this court to do for you. If you are a state or federal prisoner and seek relief which affects the fact or duration of your imprisonment (for example: illegal detention, restoration of good time, expungement of records, or parole), you must file your claim on a habeas corpus form, pursuant to 28 U.S.C. §§ 2241, 2254, or 2255. Copies of these forms are available from the clerk's office.

*I request relief of a judgement in the amount of \$100,000.00*

VI. JURY DEMAND (check one box below)

The plaintiff  does  does not request a trial by jury.

DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

I certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11 may result in sanctions.

Signed on: 7-27-16  
(date)

David Scheurich  
Signature of Plaintiff

P.O. Box 500  
Street Address

David Scheurich  
Printed Name

Vandalia, Illinois 62471  
City, State, Zip

M53661  
Prisoner Register Number

Sworn to and subscribed before me this

21 day of July, 2016

Witness my hand and official seal.

Notary Public Heather M. Cloe

Signature of Attorney (if any)



David Scheurich  
#153661  
V.C.C.  
P.O. BOX 500  
Vandalia, IL  
62471

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